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REPORT TO COUNCIL

SUBJECT

Approve Local Area Subsequent Designation and Local Board Recertification Application for Program Year 2023-25 for NOVA Workforce Development Area

BACKGROUND

The federal Workforce Innovation and Opportunity Act (WIOA) stipulates the criteria for Local Area designation and Local Board certification. WIOA requires that local areas apply for an initial Local Area designation, demonstrating that the local area performed successfully and sustained fiscal integrity. This is defined by the absence of significant findings from audits/reviews, gross negligence, or failure to observe accepted standards of administration. Following initial designation, WIOA requires that local areas apply for subsequent designation, demonstrating that the local area is also in compliance with WIOA requirements and other federal and state laws and regulations, and has engaged in regional planning.

WIOA also mandates that local boards apply for initial certification and recertification, demonstrating compliance with Board membership requirements and Local Area designation requirements. Membership requirements include a majority of members represent business; 20% represent the workforce including services for individuals with barriers to employment, organized labor representation, and labor/management apprenticeship programs; and representation from adult and higher education and from economic and community development.

The state has combined the applications for Local Area subsequent designation and Local Board recertification into a single application. It is now renewed every two years.

The Council approved the initial certification of the NOVA Workforce Board at its Feb. 10, 2015, meeting (RTC No. 15-0136) and a modified initial designation of the NOVA Workforce Development Area to add San Mateo County to the now eight-jurisdiction consortium at its Feb. 24, 2015, meeting (RTC No. 15-0182). The consortium comprises the cities of Cupertino, Los Altos, Milpitas, Mountain View, Palo Alto, Santa Clara and Sunnyvale, and the County of San Mateo. The Council approved the NOVA Workforce Board recertification and NOVA Workforce Development Area subsequent designation (with no changes to the Local Area) at its May 21, 2019, (RTC No. 19-0490) and March 16, 2021, (RTC No. 21-0369) meetings. The state's Workforce Services Draft Directive No. 245 (WSDD-245) requires that local boards must reapply for Local Area subsequent designation and Local Board recertification for the period July 1, 2023, to June 30, 2025.

EXISTING POLICY

Council Policy 5.1.1: Socio-Economic - Goals and Policies: Education and Training Goal 5.1F: Provide job training and employment services, within constraints of operative Federal regulations and available Federal funding, to address the locally-determined employment and training needs of economically

disadvantaged residents and others with special needs.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental, organizational or administrative activity that will not result in direct or indirect changes in the environment.

DISCUSSION

WSDD-245 provides guidance and establishes the procedures and requirements for Local Area subsequent designation and Local Board recertification. Specifically, WSDD-245 states that the local area must have 1) performed successfully with an Individual Indicator Score of at least 50% for two primary indicators, Employment Rate 2nd Quarter After Exit and Median Earnings 2nd Quarter After Exit, for Program Year 2020/21 or Program Year 2021/22; 2) engaged in regional planning; 3) sustained fiscal integrity with no violations with audit findings and other reviews, gross negligence, or acceptable standards of administration; and 4) adhered to “Local Area Assurances” and compliance with Uniform Guidance, financial and program reporting, funding expenditures, nondiscrimination provisions, priority of service requirements, and all applicable federal and state policies and laws. WSDD-245 also requires that local boards comply with WIOA membership requirements under which a majority represents business, at least 20% represent the workforce with 15% representing organized labor, and there must be representatives from adult education and higher education, as well as from economic and community development.

The NOVA Workforce Development Area complies with all requirements outlined in the application for Local Area subsequent designation and Local Board recertification. There were no proposed changes to the current eight-jurisdiction consortium that comprises the Local Area. NOVA has been actively engaged in regional planning, which includes taking a leadership role in regional plan development, negotiating WIOA performance measures, and planning and delivering several regional initiatives advancing equity, upskilling dislocated workers impacted by the COVID-19 pandemic, and promoting career paths for high demand sectors in cybersecurity, mechatronics, and cloud computing. In addition, the NOVA Workforce Board, appointed by Council, which serves as the local Chief Elected Official for the NOVA consortium, satisfies all membership requirements for recertification.

The application was approved by the NOVA Workforce Board Executive Committee approval, acting on behalf of the full Board, at its April 26 meeting. The application has been attached for review. (Attachment 1.)

FISCAL IMPACT

No fiscal impact.

PUBLIC CONTACT

Public contact was made by posting the Council meeting agenda on the City's official-notice bulletin board at City Hall, at the Sunnyvale Public Library and in the Department of Public Safety Lobby. In addition, the agenda and this report are available at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue (during normal business hours), and on the City's website.

RECOMMENDATION

Approve Local Area Subsequent Designation and Local Board Recertification application for Program Year 2023-25 for the NOVA Workforce Development Area.

Prepared by: Eileen Stanly, Analyst, NOVA Workforce Services

Reviewed by: Marléna Sessions, Director, NOVA Workforce Services

Reviewed by: Jaqui Guzmán, Deputy City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Local Area Subsequent Designation and Local Board Recertification Application for Program Year 2023-25 for NOVA Workforce Development Area